March (4, 2014)

RE: S.B. No. 2078 S.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred S.B. No. 2078, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this measure is to clarify that private agreements contained in condominium documents for condominiums created before, on, or after July 1, 2006, may not restrict agricultural uses and activities on agricultural lands.

Furthermore, for condominiums created after July 1, 2006, this measure requires condominium documents for projects in an agricultural district to state that the documents or projects contain no private restrictions limiting or prohibiting agricultural uses or activities.

Your Committee received testimony in support of this measure from the Department of Agriculture, the Real Estate Commission, Americans for Democratic Action, and the Hawaii Association of Realtors. Comments on the measure were received from the Hawaii Farm Bureau.

Your Committee finds that this measure is necessary to ensure that occupants of agricultural condominiums will not be subject to private limitations or restrictions on crop types, the days and times that farming equipment may be used, or the height and type of vegetation to be used for windbreaks.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2078, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Water & Land.

Respectfully submitted on behalf of the members of the Committee on Agriculture,



State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Agriculture

SB 2078 SD 1 Committee AGR	e Referral: , WAL, (PC Date	3/13/14	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. WOOLEY, Jessica (C)				
2. ONISHI, Richard H.K. (VC)				
3. AWANA, Karen				
J. AWANA, Kalen				
4. BROWER, Tom				<u> </u>
5. CACHOLA, Romy M.		CLI VANISHER A. C. CARRELLO MITTER		
6. CHOY, Isaac W.				
7. OHNO, Takashi		a in the period of		
8. TOKIOKA, James Kunane				
9. TSUJI, Clift			1000017 10000 1000 1000 1000 1000 1000	(AP) (4 VACUUM (1) (A) (A)
10. MATSUMOTO, Lauren Kealohilani				
11. WARD, Gene				
TOTAL (11)	11			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				